

Application No. 10/002,589
Amendment dated August 24, 2004
Reply to Office Action of 06/07/2004

Remarks/Arguments:

Applicant wishes to express his appreciation for having the opportunity to further amend the claims to distinguish over the cited art. The Examiner was not persuaded by the arguments presented previously, stating that the recitation of the intended use was insufficient to patentably distinguish the claimed invention from the prior art. It is his position that the straps of Brown (4,045,072) or Norton (3,290,083) or Otley (2,985,480) or Colombet (French WO (8/01188) meet the structural limitation of the claims as they were previously amended. After careful consideration of the Examiner's position, Applicant is making considerable amendments to the claims in an effort to hopefully meet the Examiner's objections. In the event the Examiner is favorably inclined to accept the amendments but wishes further clarification of language, a phone call to the undersigned would be greatly appreciated.

Applicant's strap has had fairly good acceptance in both the fire-fighting and medical rehabilitation fields. Note attached EXHIBIT A published in the Dayton (Ohio) Daily News this past June, where in the larger of the two pictures, the strap is used to lift someone from overhead by means of wrist hitch securement. Applicant's initial rescue approach was to apply hitches and drag someone by the wrists or ankles along a floor from a smoke-filled room. As the term "discrete bodies" is used in the claims, wrists are just one type of such bodies.

Claims 1, 2, 4, 8-11 and 18 remain in the case for consideration. Claims 7 (relating to color-coding) and claims 12, 16 and 17 have been additionally canceled.

Claim 1 is the only independent claim in the application, therefore it will be addressed with respect to each of the rejections on different references. From the tenor of

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Paper 6, it is assumed that the Examiner is inclined favorably toward the product value of Applicant's invention, but is requiring that the claims patentably distinguish from the cited art by including satisfactory structural limitations. It is the undersigned's position that newly amended claim 1 now has sufficient structural limitations to make it and all the remaining dependent claims allowable over the cited art. In the interest of expediting the prosecution, and if the above assumption is correct, phone consultation is requested in the event certain additional changes are required to bring the prosecution to a close.

Claims 1,2,4 and 18 were rejected under Section 102(b) as being anticipated by Brown '072. The laminates of Brown's pendant 14 are "held in place by a cover 33 and a plurality of "No Sews" 35." (Col. 3, line 16.) Claim 1 now specifies that the "loops are firmly secured together *solely at said central area by attaching means*". This sets the stage for a functional capability that says the loops are normally aligned when not in use but are "flexibly separable laterally relative to each other outwardly from said central area to enable separate securement to each of said bodies" (the bodies being two wrists in the Exhibit A example). Brown is totally incapable of the function of lateral separation *for any purpose* because of the extensive use of his "No Sews" 35 and because he lacks the structural limitation of the loops being secured together solely at the central area.

Norton '083 was also applied to the same claims as was Brown under Section 102(b). In the top paragraph of Norton's column 3, it can be noted the "load bearing part 6" and the "endless band 7" are said to be "slidably received" and "freely movable" in tunnels 10. This is in contrast to Applicant's loops of claim 1 being "firmly secured to each other solely at said central area by attaching means" and also that the "body-securing loops are of a fixed essentially equal length". Norton's Figs. 12 and 13 embodiments would appear

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to require that the pair of loops at opposite ends be both captured in the same hook in order to remain of essentially equal length. As an illustration of the significance of these two structural distinctions in comparison to Norton, if the two loops at the left end of Norton's Fig. 12 were attached to a person's wrists and only one of the loops at the right end was towed or supported, all of the force would be applied to only one of the secured arms due to the slidability of the belt in the load bearing part 6'. The "load bearing part" would perform no load bearing function if used in this manner. Imagine the fire-fighter of EXHIBIT A being lifted only by one wrist with Norton's structure! Or, if the single but double-looped belt configuration of Norton's Fig. 13 were used, and the tugging or supporting was only on one belt at the right, the belt sections would slide until the wrists reached the part 6', but would have been twisting the wrists all that while.

Otley '480 was also applied to the claims under Section 102(b). Otley has the plies of his sling stitched to each other throughout their lengths, rather than "solely at said central area". He lacks the "*pair of first body-securing loops...at said one end of said strap*". As such, it is impossible to use his structure for securement to discrete bodies by virtue of being "*flexibly separable laterally relative to each other outwardly from said central area*".

Colombet (French 98/01188) was also cited under Section 102(b). Upon reading amended claim 1 against Fig. 2 of Colombet, it becomes apparent that the arguments urged to structurally distinguish the amended claim from Brown, Norton and Otley either do not or apply only very little to Colombet. Colombet does in fact attach his belting "*solely at said central area*" as claim 1 now states. And he has "*loops of essentially equal length*". However, claim 1 has the additional distinction of being "*at least eighteen*

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inches in length", a necessity when body securement is in the nature of a wrap-around hitch for two discrete bodies as shown in Applicant's drawing at Figs. 7 and 8. (This language is supported at the bottom of page 4 of the specification where the "longer loops" are described as "being eighteen to twenty four inches in length". In fact, they are longer than twenty-four inches in the latest design.)

Compare this to what is probably no more than five inches in Colombet's Fig. 1, which is presumed to be full sized based on the comparative sizes of the illustrated carabiners. Five inches is totally unacceptable to perform the function of hitch attachment to discrete bodies as is described in Applicant's specification. Carabiners are conventionally made to a diameter of about $1/4^{\text{th}}$ to $1/2$ inches. That renders the Fig. 1 Colombet strap loops to have a length of only about $1\frac{1}{2}$ inches. Even with the minimum length of "at least eighteen inches" in claim 1, Applicant's pair of body-securing loops is twelve times as long as Colombet's. Certainly, a $1\frac{1}{2}$ inch loop could not even fit over a person's hand, let alone attempt to hitch grip the wrist.

What does Colombet really teach? He says his tubular element 20 is an "elastic band" (page 5, 2nd paragraph). The Abstract says 20 is "made of non-slipping material which is applied in friction around the through portion of the carabiner 3...". His purpose as indicated in the last sentence of the Abstract is to effect a "rigid linkage... thereby preventing the carabiner (3) from sliding or pivoting". Carabiners are a common instrument used in safety harnesses and lines associated with mountain climbing. Certainly, if a carabiner slipped relative to a line while under the tension of supporting a mountain climber, a sudden jolt caused by such slippage could result in the climber losing his footing or grip, possibly resulting in serious injury or even death.

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As stated above, since Colombet does attach his straps solely at the central area between oppositely-directed securing and supporting loops, the one pair of securing loops at one end are capable of being physically laterally separated. But to what end? Colombet wants them aligned at all times in order to perform their slippage control function. It is their very shortness or lack of length that helps to maintain their alignment. Later loop separation would be detrimental, and is the very thing Colombet wishes to avoid. And their necessary small size would render them totally incapable of being made into a hitch-type grip. If Colombet's loops were made longer and they could move laterally relative to one another, they would likely lose the very friction function Colombet requires.

The rejections of claim 7, 12, 16 and 17 under 35 U.S.C.103(a) are no longer applicable, since those claims have been canceled.

An earnest effort has been made to comply with the Examiner's requirements in the hope of bringing the prosecution to a close.

It is respectfully requested that all of the claims remaining in the application are allowable, and such allowance is solicited.

Respectfully submitted,


William Weigl, Reg. No. 18,148

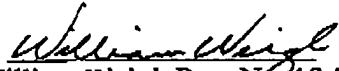
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to Primary Examiner Chin of Art Unit 3652 of the United States Patent and Trademark Office in Washington, DC at (703) 872-9306 in accordance with 37 C.F.R. 1.6(d) on August 24, 2004.


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Marked-up claims to show amendments made:

1. (Amended) An elongated unitary multi-purpose strap for hitch securement to discrete bodies [by means of a pair of loops] at one end of said strap and for supporting said bodies from an end remote from said one end to enable dragging or suspending said bodies from said remote end, said strap comprising flexible flat belting material between one-half and three inches in width and having a plurality of loops extending outwardly in opposite directions from a central area of said strap at which said loops are firmly secured [to each other] together solely at said central area by attaching means, said plurality of loops comprising a pair of first body-securing loops of a fixed essentially equal length of at least eighteen inches at said one end of said strap, said first loops being normally aligned when said strap is in a condition of non-use but which are flexibly separable laterally relative to each other outwardly from said central area to enable separate securement to each of said bodies, and [at least one second] said remote end of said strap comprising a supporting loop extending [outwardly] from said central area in a direction opposite to said pair of first body-securing loops.
2. A multi-purpose strap according to claim 1 wherein said [at least one second] supporting loop comprises a pair of second loops of essentially equal length.
- 4.A multi-purpose strap according to claim 2 wherein one first body-securing loop and one [second] supporting loop comprises a first continuous strap, wherein the other first body-securing loop and the other [second] supporting loop comprises a second continuous strap, and wherein said first and second continuous straps are of the same

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width and thickness dimensions and are interconnected at said central area by means of stitching.

8. A multi-purpose strap according to claim 2 wherein all of said loops are formed from a single continuous belt which is initially folded over onto itself at its midpoint into two elongated unconnected loops extending outwardly from said midpoint, and wherein said central area is formed by interconnecting said two elongated unconnected loops to create said pair of first body-securing loops and said pair of [second] supporting loops.

9. A multi-purpose strap according to claim 8 wherein said [first and second] body-securing and supporting loops are of different lengths when said strap is laid flat.

10. (Amended) A multi-purpose strap according to claim 1 wherein said multi-purpose strap comprises a length of flat belting which has been folded over at a midway point onto itself into two equal half-length sections, wherein both of said sections have been tucked inwardly and directed in equal amounts toward but not reaching said folded-over midway point, and wherein the inwardly tucked ends and adjacent portions of said belting have been stitched together to form said central area, said at least one supporting loop comprising a single loop extending between the central stitched area and said folded-over midway point.

11. A multi-purpose strap according to claim 10 wherein said [first and second] body-securing and supporting loops are of different lengths when said strap is laid flat.

18. A multi-purpose strap according to claim 1 wherein said strap is formed from a pair of continuous belts of equal length, said belts lying adjacent one another and being joined at said central area, each of said belts comprising a [first loop and a second] body-securing and supporting loop on the same side of said strap.

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**Steve Heinrichs, 12,
will run his
family's business**

**By Murray H. Hargrave
for the Dayton Daily News**

CLAYTON — May 25 was a lifetime day in the life of Steve Heinrichs.

On that day, the Clayton resident observed his 62nd birthday and retired from a 30-year teaching career at Northmont High School in the physical education department.

Retirement will give Heinrichs time for his family business, CAASS Inc., which stands for equipment and sports specialties. He will run the business with his wife, Karen.

Heinrichs coached and directed two types of basketball — one for his family business, CAASS Inc., which stands for equipment and sports specialties. He will run the business with his wife, Karen.

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